

Message Text

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ACTION SS-25

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P 262300Z SEP 75

FM AMEMBASSY SAN JOSE

TO SECSTATE WASHDC PRIORITY 1569

C O N F I D E N T I A L SAN JOSE 4096

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EXDIS

E.O. 11652: XGDS-3

TAGS: PFOR, CS

SUBJECT: EXTRADITION LAW: RENEWED ATTACKS ON EMBASSY'S ROLE

REF: SAN JOSE 4075, 4082 AND 3530

1. IT IS EXTREMELY INTERESTING TO SPECULATE AS TO WHO REALLY INSPIRED THE LATEST PUBLIC ATTACKS ON AMBASSADOR TODMAN AND THIS EMBASSY IN CONNECTION WITH THE VESCO CASE/EXTRADITION LAW, AND WHAT THEIR MOTIVATIONS WERE. IN ADDITION TO PRESS COVERAGE OF ATTACKS REPORTED REFTELS, THERE WAS A GOOD DEAL OF YELLOW RADIO JOURNALISM LAST EVENING EMBROIDERING THE SAME THEME, AND SOME TALK ON THE FLOOR OF THE ASSEMBLY -- NONE OF WHICH, INTERESTINGLY ENOUGH, WAS PICKED UP IN THIS MORNING'S PAPERS.

2. I CALLED ON PRESIDENT ODUBER EARLYAFTERNOON SEPTEMBER 24 TO GET DETAILS OF HIS TRANSIT THROUGH NEW YORK TO SWEDEN AND TO TOUCH ON SEVERAL ONGOING MATTERS. I ASKED HIM SPECIFICALLY WHAT HE COULD TELL ME ABOUT THE GOCR'S CONSIDERATION OF THE WRITTEN COMMENTS AMBASSADOR TODMAN HAD PROVIDED HIM (IN RESPONSE TO HIS REQUEST) ABOUT THE EXTRADITION LAW. HE REPLIED THAT HE HAD PASSED THE COMMENTS ON TO ATTORNEY GENERAL TOSSI AND ASST. ATTORNEY GENERAL JORGE UMANA FOR STUDY, AND
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WAS AWAITING THEIR REPORT. HE VOLUNTEERED THAT NO

ACTION WOULD BE TAKEN (HE CLEARLY MEANT IN THE ASSEMBLY) UNTIL HE HAD THAT REPORT. HE CERTAINLY GAVE NO INDICATION THAT HE WAS UNHAPPY WITH OUR COMMENTS OR THAT HE WAS AWARE OF IMPENDING CRITICISMS IN THE PRESS OR ELSEWHERE.

3. NEVERTHELESS, IT IS SIGNIFICANT TO NOTE THAT THE PRESS ATTACKS APPEARED ONLY IN THE PLN PAPERS EXCELSIOR AND LA HORA. IT ALSO SEEMS UNLIKELY THAT TOSSI OR ANYONE ELSE IN THE GOVERNMENT WOULD HAVE LEAKED INFORMATION ABOUT THE EMBASSY'S REPRESENTATIONS, OR HAVE MADE THE KIND OF SPECIFIC CRITICISM ABOUT THE U.S. PROPOSALS WHICH TOSSI WAS QUOTED AS MAKING, WITHOUT THE PRESIDENT'S KNOWLEDGE. IT REMAINS POSSIBLE, OF COURSE, THAT TOSSI ACTED ON HIS OWN OR THAT THE LEAK WAS ORDERED BY PEPE FIGUERES OR SOMEBODY ELSE WITHOUT THE PRESIDENT'S KNOWLEDGE, ALTHOUGH FIGUERES HAS BEEN OUT OF THE COUNTRY FOR TWO WEEKS. IF THIS IS THE CASE, ODUBER SHOULD BE VERY UNHAPPY AND WE SHOULD BE ABLE TO GET A READING ON THAT AFTER HE RETURNS OCTOBER 7. WE WILL WISH ALSO TO ASK HIM ABOUT THE RESULTS OF THE ATTORNEY GENERAL'S STUDY.

4. THOSE WHO RECALL PAST MODES OF ATTACKS ON THIS EMBASSY OVER VESCO ISSUE WILL NOTE STRIKING SIMILARITY OF PATTERN IN WHICH BOTH PRESIDENT AND FOREIGN MINISTER WERE OUT OF COUNTRY WHEN CRITICAL STATEMENTS BROKE. ON THE OTHER HAND, PRESIDENT DID MAKE GOOD, SHORT STATEMENT DENYING EMBASSY PRESSURE JUST BEFORE HE DEPARTED. THIS SHOULD EFFECTIVELY STOP THE CONTROVERSY. INTERESTINGLY ENOUGH, HOWEVER, IT DID NOT STOP LA HORA'S ATTACK YESTERDAY AFTERNOON OR THE RADIO AND ASSEMBLY CRITICISM LAST EVENING, NOR DID IT KEEP BOTH EXCELSIOR AND LA HORA FROM USING SLANTED LEADS ON THEIR STORIES TODAY OF THE PRESIDENT'S STATEMENT (E.G., LA HORA'S "WE WON'T TOLERATE PRESSURE FROM TODMAN.").

5. THE TIMING OF THIS PARTICULAR TEMPEST IS ALSO MOST INTERESTING, COMING AS IT DOES VERY CLOSE TO THE SCHEDULED ASSEMBLY CONSIDERATION OF THE WHOLE EXTRADITION LAW QUESTION, INCLUDING AN OPPOSITION PROPOSAL TO RESCIND THE "VESCO" LAW AND A SEPARATE PLN PROPOSAL TO AMEND IT.

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6. ALTHOUGH EMBASSY IS NOT YET ABLE ADEQUATELY TO ASSESS THE SIGNIFICANCE OF THIS EPISODE IN LIGHT OF ALL THE ABOVE CONSIDERATIONS, WE BELIEVE THAT ON BALANCE WE MAY HAVE COME OUT AHEAD RATHER THAN BEHIND. WHILE SOMEBODY HAS AGAIN TRIED TO EMBARRASS US ON VESCO, AND IT IS TRUE THAT DENIALS NEVER QUITE CATCH UP WITH ACCUSATIONS, WE SEEM TO HAVE THE FOLLOWING POSITIVE

RESULTS: A CLEAR PRESIDENTIAL AFFIRMATION THAT THE EMBASSY HAS NOT ACTED IMPROPERLY IN THIS MATTER; A FRESH SIGNAL TO COSTA RICANS WHO ARE WORRIED ABOUT VESCO IN THE ASSEMBLY, PRESS AND GENERAL PUBLIC THAT THE U.S. IS STILL SERIOUS ABOUT VESCO; AND THE UNEXPECTED BONUS OF A STATEMENT FROM THE ACTING PRESIDENT (WHO IS WITHOUT POLITICAL POWER BUT ENJOYS A REPUTATION OF INTEGRITY) THAT MR. VESCO IS AN UNDESIRABLE RESIDENT OF COSTA RICA.
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